

EXHIBIT

“A”

Supreme Court of Pennsylvania

Court of Common Pleas

Civil Cover Sheet

Lackawanna

County

For Prothonotary Use Only:

Docket No:

24CV1947

TIME STAMP

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Commencement of Action:

- ☒ Complaint ☐ Writ of Summons ☐ Petition
☐ Transfer from Another Jurisdiction ☐ Declaration of Taking

Lead Plaintiff's Name:

Crystal Kulick

Lead Defendant's Name:

Synergetic Communication, Inc. et al

Are money damages requested? ☒ Yes ☐ NoDollar Amount Requested: ☒ within arbitration limits
(check one) ☐ outside arbitration limitsIs this a Class Action Suit? ☐ Yes ☒ NoIs this an MDJ Appeal? ☐ Yes ☒ No

Name of Plaintiff/Appellant's Attorney: Brett Freeman

☐ Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- ☐ Intentional
☐ Malicious Prosecution
☐ Motor Vehicle
☐ Nuisance
☐ Premises Liability
☐ Product Liability (does not include mass tort)
☐ Slander/Libel/ Defamation
☐ Other: _____

MASS TORT

- ☐ Asbestos
☐ Tobacco
☐ Toxic Tort - DES
☐ Toxic Tort - Implant
☐ Toxic Waste
☐ Other: _____

PROFESSIONAL LIABILITY

- ☐ Dental
☐ Legal
☐ Medical
☐ Other Professional: _____

CONTRACT (do not include Judgments)

- ☐ Buyer Plaintiff
☐ Debt Collection: Credit Card
☐ Debt Collection: Other _____
☐ Employment Dispute: Discrimination
☐ Employment Dispute: Other _____
☐ Other: _____

REAL PROPERTY

- ☐ Ejectment
☐ Eminent Domain/Condemnation
☐ Ground Rent
☐ Landlord/Tenant Dispute
☐ Mortgage Foreclosure: Residential
☐ Mortgage Foreclosure: Commercial
☐ Partition
☐ Quiet Title
☐ Other: _____

CIVIL APPEALS

- Administrative Agencies
☐ Board of Assessment
☐ Board of Elections
☐ Dept. of Transportation
☐ Statutory Appeals
☐ Zoning Board
☐ Other: _____

MISCELLANEOUS

- ☐ Common Law/Statutory Arbitration
☐ Declaratory Judgment
☐ Mandamus
☐ Non-Domestic Relations
☐ Restraining Order
☐ Quo Warranto
☐ Replevin
☒ Other: FD CPA

Crystal Kulick
514 Albion St.
Scranton, PA 18508

Plaintiff

v.

Synergetic Communication, Inc.
5450 Central Drive
Houston, TX 77092 and

Second Round Sub, LLC
3100 Breckinridge Blvd., Suite 725
Duluth, GA 30096

Defendants

IN THE LACKAWANNA COUNTY
COURT OF COMMON PLEAS

Civil Action

No.

24cv1947

Jury Trial Demanded

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by plaintiff(s). You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Northeastern Pennsylvania Legal Services
33 North Main Street, Suite 200
Pittston, PA 18640
Telephone (570) 299-4100

MAURI B. KELLY
LACKAWANNA COUNTY
2024 MAR 18 P 2:07
CLERK OF JUDICIAL
RECORDS CIVIL DIVISION

Crystal Kulick,

Plaintiff

V.

**Synergetic Communication, Inc., et al.,
Defendants**

IN THE LACKAWANNA COUNTY
COURT OF COMMON PLEAS

Docket No.

24 CV 1947

COMPLAINT

I. INTRODUCTION

1. This is an action for damages brought by an individual consumer for violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, *et seq.* (hereinafter “the Act”). Defendants illegally disclosed information about Plaintiff to a third-party, in direct violation of the Act.

II. JURISDICTION AND VENUE

2. Jurisdiction of this Court is proper pursuant to 15 U.S.C. § 1692k(d), which permits an action under the Act to be brought in any court of competent jurisdiction.

3. Venue in this Court is proper in that Plaintiff resides here, the conduct complained of occurred here, and Defendants transact business here.

III. PARTIES

4. Plaintiff is a natural person residing at 514 Albion St., Scranton, PA, 18508.

5. Plaintiff is, and at all relevant times was, a “consumer” as defined by 15 U.S.C. § 1692a(3).

MAURI B. KELLY
LACKAWANNA COUNTY
2024 MAR 18 P 2:07
CLERK OF JUDICIAL
RECORDS CIVIL DIVISION

6. Synergetic Communication, Inc. is an entity with an address of 5450 Central Drive, Houston, TX 77092.

7. Second Round Sub, LLC is an entity with an address of 3100 Breckinridge Blvd., Suite 725, Duluth, GA 30096.

8. The principal purpose of each Defendant's business is the collection of debts.

9. Each Defendant has reason to believe that a non-trivial portion of the accounts that it collects are for obligations for which the money, property, insurance or services which were the subjects of the transactions were primarily for personal, family, or household purposes.

10. Each Defendant has reason to believe that it is probably true that the principal purpose of its business is the collection of "debt" as that term is defined by 15 U.S.C. § 1692a(5).

11. Each Defendant regularly attempts to collect debts asserted to be due to another. The term "debt" is used in this allegation as that term is defined by 15 U.S.C. § 1692a(5).

12. Defendants are "debt collectors" as defined by 15 U.S.C. § 1692a(6).

IV. STATEMENT OF CLAIM

13. The foregoing paragraphs are incorporated herein by reference.

14. Congress enacted the Act to prevent real harm. Congress found that "abusive debt collection practices [we]re carried on to a substantial extent in

interstate commerce and through means and instrumentalities of such commerce.”
15 U.S.C. § 1692(d).

15. One of the abusive debt collection practices the Act was designed to curb was “invasions of individual privacy.” 15 U.S.C. § 1692(a).

16. In order to help achieve this goal, the Act prohibits, absent a few exceptions not relevant to the present matter, a debt collector from communicating with a third-party in connection with the collection of a debt. 15 U.S.C. § 1692c(b).

17. Synergetic Communication, Inc. is a company which was attempting to collect an alleged debt (“the Debt”) from Plaintiff. The Debt was allegedly owed to Second Round Sub, LLC.

18. On or shortly before July 1, 2023, Synergetic Communication, Inc. decided to send a letter to Plaintiff regarding the Debt.

19. However, rather than preparing and mailing the letter to Plaintiff on its own, Synergetic Communication, Inc. chose to utilize a third-party vendor to perform these services on its behalf. The factual contentions in this paragraph will likely have evidentiary support after a reasonable opportunity for further investigation or discovery.

20. As part of this process, Synergetic Communication, Inc. conveyed information regarding the Debt to the third-party vendor.

21. The information Synergetic Communication, Inc. conveyed to the third-party included Plaintiff’s name, address, status as a debtor, as well as the precise amount of the Debt and the entity to which Plaintiff allegedly owed the Debt.

22. The conveyance of this information to the third-party constituted a “communication” as that term is defined in 15 U.S.C. § 1692a(2).

23. The conveyance of this information to the third-party was a communication made in connection with the collection of a debt. *See Hunstein v. Preferred Collection & Mgmt. Servs., Inc.*, 17 F.4th 1016 (11th Cir.), *reh'g en banc granted, opinion vacated*, 17 F.4th 1103 (11th Cir. 2021)(case dismissed on jurisdictional grounds); *Khimmat v. Weltman, Weinberg and Reis Co., LPA*, --- F. Supp.3d ---, 2022 WL 356561 (E.D. Pa. Feb. 7, 2022); *Jackin v. Enhanced Recovery Co., LLC*, --- F. Supp.3d ---, 2022 WL 2111337 (E.D. Wash. June 10, 2022).

24. The third-party then, at the direction of Synergetic Communication, Inc., utilized this information to generate and mail a letter to Plaintiff.

25. This collection letter was a “communication” as that term is defined in 15 U.S.C. § 1692a(2).

26. The collection letter was mailed on or about July 1, 2023. A redacted copy of this collection letter is attached as Exhibit A.

27. Plaintiff never consented to Synergetic Communication, Inc. communicating with the third-party vendor in connection with the collection of the Debt.

28. By improperly conveying information regarding Plaintiff to a third-party in connection with the collection of a debt, Synergetic Communication, Inc. violated 15 U.S.C. § 1692c(b). *See Hunstein v. Preferred Collection & Mgmt. Servs., Inc.*, 17 F.4th 1016 (11th Cir.), *reh'g en banc granted, opinion vacated*, 17 F.4th 1103 (11th

Cir. 2021)(case dismissed on jurisdictional grounds); *Khimmat v. Weltman, Weinberg and Reis Co., LPA*, --- F. Supp.3d ---, 2022 WL 356561 (E.D. Pa. Feb. 7, 2022); *Jackin v. Enhanced Recovery Co., LLC*, --- F. Supp.3d ---, 2022 WL 2111337 (E.D. Wash. June 10, 2022)

29. It is believed, and therefore averred, that Second Round Sub, LLC was the owner of the Debt at the time of the aforementioned collection activity and had hired Synergetic Communication, Inc. to collect it.

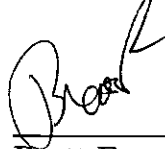
30. At all times relevant hereto, Synergetic Communication, Inc. was acting on behalf of and as the agent of Second Round Sub, LLC in attempting to collect the Debt.

31. Second Round Sub, LLC is directly and vicariously liable for the conduct of Synergetic Communication, Inc. in attempting to collect the Debt.

WHEREFORE, Plaintiff demands judgment against Defendants for statutory damages of no more than \$1,000.00, costs, attorney's fees, and such other and further relief as deemed just and proper.

V. DEMAND FOR JURY TRIAL

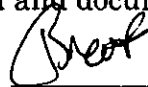
32. Plaintiff demands a trial by jury as to all issues so triable.



Brett Freeman
Bar Number: PA 308834
Freeman Law
606 Hamlin Highway, Suite 2
Lake Ariel, PA 18436
Attorney for Plaintiff
Phone (570) 589-0010

CERTIFICATION OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.



Brett Freeman
Bar Number: PA 308834
Freeman Law
606 Hamlin Highway, Suite 2
Lake Ariel, PA 18436
Attorney for Plaintiff
Phone (570) 589-0010

Verification of Complaint and Certification by Plaintiff

Plaintiff, Crystal Kulick, being duly sworn according to law, deposes as follows:

1. I am a plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass the Defendant, cause unnecessary delay to the Defendant, or create a needless increase in the cost of litigation to the Defendant, named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 03 / 15 / 2024

Crystal Kulick
Crystal Kulick, Plaintiff

EXHIBIT A

Letter Dated July 1, 2023



Synergetic Communication Inc
 8596 Wayne Drive, Suite A5
 Hayden ID 83835-5068
 855-524-3096
 Monday to Thursday 8am to 8pm CT,
 Friday 8am to 5pm CT and Saturday 8am – 12pm CT
www.syncomcorp.net

Crystal Kulick
 514 Albion St
 Scranton PA 18508

Reference: [REDACTED]

July 1, 2023

Synergetic Communication, Inc is a debt collector. We are trying to collect a debt that you owe Second Round Sub, LLC. We will use any information you give us to help collect the debt.

Our Information shows:

You had an account with Synchrony Bank with Account #
 XXXXXXXXXXXX [REDACTED]
 Original Creditor: Synchrony Bank

As of 10-13-17, you owed		\$ 954.73
Between 10-13-17 and today		
You were charged this amount in interest:	+	\$ 0.00
You were charged this amount in fees:	+	\$ 0.00
You paid or were credited this amount toward the debt:	-	\$ 0.00
Total amount of the debt now:		\$ 954.73

How can you dispute the debt?

- Call or write to us by August 15, 2023, to dispute all or part of the debt. If you do not, we will assume that our information is correct.
- If you write to us by August 15, 2023, we must stop collection on any amount you dispute until we send you information that shows you owe the debt. You may use the form below or write to us without the form. You may also include supporting documents. We accept disputes electronically at www.syncomcorp.net/company/contact_us.

What else can you do

- Write to ask for the name and address of the original creditor, if different from the current creditor. If you write by August 15, 2023, we must stop collection until we send you that information. You may use the form below or write to us without the form. We accept such requests electronically at www.syncomcorp.net/company/contact_us.
- Go to www.ftb.gov/debt-collection to learn more about your rights under federal law. For instance, you have the right to stop or limit how we contact you.

Our client has authorized us to offer you the following discount to resolve your account:

Balance Due:	\$ 954.73
Discounted Payment Offer:	\$ 286.42
Payment Must Be Received By:	08/14/2023

Should you have any questions regarding this, please call us at 855-524-3096.

Upon receipt and clearance of the discounted payment amount we will notify our client that the account has been resolved for less than the full balance. We are not obligated to renew this offer.

This is an attempt to collect a debt by a debt collector. Any information obtained will be used for that purpose.

Sincerely,

Ken Walsh, Director Of Operations

Notice: See reverse side for important information.

How do you want to respond?

Check all that apply.

I want to dispute the debt because I think:
 This is not my debt.
 The amount is wrong.

This debt is too old for you to be sued on it in court as the statute of limitations has expired, and you can't be required to pay it through a lawsuit. The statute of limitations may be renewed on this debt and start the time for filing of a lawsuit against you to collect the debt over, if you do any of the following: (a) make a payment on the debt, (b) sign a paper in which you admit that you owe the debt or, in which you make a new promise to pay, (c) sign a paper in which you give up ("waive") your right to stop the debt collector from suing you in court or to collect the debt.



Audit trail

Title	Synergetic Complaint.pdf
File name	Complaint.pdf
Document ID	2a0cebcb7b5de496d62e0c5326ae31b699178416
Audit trail date format	MM / DD / YYYY
Status	• Signed

This document was requested from app.clio.com

Document History



SENT

03 / 15 / 2024

20:00:57 UTC

Sent for signature to Crystal Kulick (ckulick02@yahoo.com)
from shannon@freeman.law
IP: 68.70.25.163



VIEWED

03 / 15 / 2024

20:44:24 UTC

Viewed by Crystal Kulick (ckulick02@yahoo.com)
IP: 174.49.238.50



SIGNED

03 / 15 / 2024

20:46:56 UTC

Signed by Crystal Kulick (ckulick02@yahoo.com)
IP: 174.49.238.50



COMPLETED

03 / 15 / 2024

20:46:56 UTC

The document has been completed.